

REMARKS/ARGUMENTS

Claims 1 through 6 and 8 through 23 remain in this application. Claim 7 has been canceled without prejudice or disclaimer. In addition, claims 1, 8, 9 and 11 have been amended

Claims 8 and 9 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 8 and 9 are hereby amended to depend from claims 7 instead of claim 1 and, thus, have sufficient antecedent basis for "said invite message". Reconsideration and withdrawal of the 35 U.S.C. §112, second paragraph, rejection of claims 8 and 9 are respectfully requested.

The following rejections under 35 U.S.C. §102(c) and 35 U.S.C. §103(a) are presented by the above Office Action:

- Claims 20 through 23 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,477,150 to Maggenti, et al. ("Maggenti, et al. patent").
- Claims 1, 3, 4, and 11 through 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0190489 to Palaez, et al. ("Palaez, et al. publication") in view of U.S. Patent Application Publication No. 2004/0174830 to Koskelainen, et al. ("Koskelainen, et al. publication").
- Claims 2 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Palaez, et al. publication in view of the Koskelainen, et al. publication and U.S. Patent Application Publication No. 2004/0071099 to Costa-Requena, et al. ("Costa-Requena, et al. publication").

- Claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Palacz, et al. publication in view of the Koskelainen, et al. publication and U.S. Patent No. 6,366,771 to Angle, et al. ("Angle, et al. patent").
- Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Palacz, et al. publication in view of the Koskelainen, et al. publication.
- Claims 7 through 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Palacz, et al. publication in view of the Koskelainen, et al. publication and the Maggenti, et al. patent.
- Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Palacz, et al. publication in view of the Koskelainen, et al. publication and U.S. Patent Application Publication No. 2003/0223381 to Schroderus ("Schroderus publication").

Claim 1 as amended provides, *inter alia*, a transceiver configured to communicate with at least one remote device for a session having a plurality of floors, each floor being associated with a media type, wherein said session comprises transmitting at least one invite message having a priority associated with at least one of said media type and a media stream. Claim 11 as amended provides, *inter alia*, participating in a session having a plurality of floors, each floor being associated with a media type, and transmitting, during said session, at least one invite message having a priority associated with at least one of said media type and a media stream. Claim 20 provides, *inter alia*, a transceiver configured to receive a floor request message associated with a media resource comprising at least one media stream, and further configured to assign a priority to at least one of said media resource and said at least one media stream.

In contrast, the Maggenti, et al. patent, the Palaez, et al. publication, the Koskelainen, et al. publication, the Costa-Requena, et al. publication, the Angle, et al. patent, and the Schroderus publication, individually or in combination, do not describe or suggest one or more invite messages having a priority associated with a media type or a media stream, as required by claims 1, 11 and 20. The above Office Action states that the Maggenti, et al. patent discloses priority assignment to media resources or media streams, because the communication devices are the media sources of the media streams. However, this comment by the Examiner only indicates that the communication devices are media sources, not the media type or media stream as required by claims 1, 11 and 20. Therefore, claims 1, 11 and 20 distinguish patentably from the Maggenti, et al. patent, the Palaez, et al. publication, the Koskelainen, et al. publication, the Costa-Requena, et al. publication, the Angle, et al. patent, and the Schroderus publication, and any combination of these references.

Claims 2 through 6, 8 through 10, 12 through 19, and 21 through 23 depend from and include all limitations of independent claims 1, 11 and 20. Therefore, claims 2 through 6, 8 through 10, 12 through 19, and 21 through 23 distinguish patentably from the Maggenti, et al. patent, the Palaez, et al. publication, the Koskelainen, et al. publication, the Costa-Requena, et al. publication, the Angle, et al. patent, and the Schroderus publication, and any combination of these references for the reasons stated above for claims 1, 11 and 20.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. §102(e) and 35 U.S.C. §103(a) of claims 1 through 6 and 8 through 23 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
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